P9

Scott. II-27—40,000—14-10-26.

(193) Department.

SERIES.

G.O. No. 3002

DATED

[Despatch Abstract.]

Alienation - [illegible] - Mangalore Taluk - Nogar village S.Nos. 77/2 & 3 - [illegible] ic the eligible portion of the Gajimutt-Kalali [illegible] - Sanctioned.

1

C.F. 31—17,006—9-2-37.

Revenue **DEPARTMENT.**

CURRENT No.

-5 APR 1938

*Received*_____19 · *Registered*_____19

Rev. 3418 F

54-38

Subject. XV

ALIENATION Land and Revenue - (South Kanara) - Mangalore taluk - Mogar village - S.Nos.77/2 and 77/6- Constructions of a toe-wall for the slipped portion of Ganjimutt-Malali road - District Board, South Kanara - Recommended.

Refce. B. No.759-38-2

Station M a d r a s, , *Dated the* 30th March 19 38.

From
T.N.S.Raghavan, Esq., I.C.S.,
Joint Secretary,
L.& S.R.
Board of Revenue.

J.F. Hall, Esq., C.S.I., C.I.E., O.B.E., I.C.S.,
Commr. of Land Revenue.

Read the following paper:-

Letter from M.R.Ry.Rao Bahadur M.V.Vellodi, Avl., B.A. Collector of South Kanara, Ref.3782-37 B3 dated 26-1-1938.

-do- -do-

-do- dated 7-3-1938.

Reference:

At the instance of the Collector of South Kanara the Board recommends the alienation of the plot of land comprised in S.Nos.77/2 and 77/6 of Mogar village, Mangalore taluk measuring 77 cents and 1.07 acres respectively in favour of the District Board, South Kanara for use as the site of a toe wall for the slipped portion of the Ganjimutt -Malali road.

2.

2. R.S.Nos.77/2 and 77/6 of Mogar village, Mangalore taluk stand registered as assessed waste dry. There are no trees on them. The toe-wall has already been constructed by the District Board.

3. The alienation will be free of charge for the occupancy right and free of land revenue (assessment) but subject to the following conditions to which the alienee has agreed:-

(1) The lands shall be used as the site of a toe-wall for the slipped portion of the Ganjimutt-Malali road and for no other purpose.

(2) No buildings shall be constructed on the land without the previous permission of the Collector of the district.

(3) The Government may resume the land wholly or in part with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee. If there are buildings on the land, the Government may direct the grantee to remove them.

(4) The Government may resume the land wholly or in part with any buildings thereon if in the opinion of the Government the land is required for a public purpose, or for conducting mining operations.

(5) In the event of resumption under condition (4) if there are buildings on the land the Government may at their option either,

(a) purchase the buildings,
(b) direct the grantee to remove the buildings.

(6) In the event of the resumption of the land followed by the purchase of the buildings under condition (5) (a) or in the event of the acquisition of the land for any reason the compensation payable for buildings or other improvements shall in no case exceed the initial cost or the

the value at the time of resumption or acquisition, whichever maybe less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Government in respect of buildings constructed in contravention of condition (2).

(7) In the event of the grantee refusing to remove the buildings when so directed under condition (3) or (5) (b) the Government may remove them and realise the cost of removal by the sale of the materials.

(8) In the event of the voluntary relinquishment of the land by the grantee no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee.

(9) Full assessment shall be levied if at any time it is found that any net income is derived from the lands.

for Joint Secretary.

To the Secretary to Government, Revenue Department.
with alienation statements and sketches.

1507 pgcf

VN/2.4.

NA/NA 2/4

5 14

Application for the alienation of land in which the proprietary right belongs to the State.

District - South Kanara.

1. Description and area	..	S.Nos. 77/2 and 6 of Mogar village in Mangalore Taluk, measuring 0.77 and 1.07 acres respectively.
2. Value	..	Rs. 46-0-0 in aggregate.
3. Aliencee and purpose of alienation.	..	District Board, South Kanara. For construction of a toe-wall for the slipped portion of the Ganjimutt-Kalali Road.
4. Collector's remarks.	..	Recommended.

South Kanara Collector's office,
Mangalore, dated 26 - 1 - 1938.

For Collector.

28.1.38

1 2-F

Application for the alienation of Land Revenue payable to Government.

District - South Kanara.

1. Description and area	...	S.Nos. 77/2 and 6 measuring 0.77 and 1.07 acres respectively in Mogar village, Mangalore Taluk.
2. (a) Annual assessment	...	(a) Rs. 1-6-0 in aggregate.
(b) Capitalised value (25 times assessment)	...	(b) Rs. 34-6-0 in aggregate.
3. Alienees and purpose of alienation.	...	District Board, South Kanara. For construction of a toe-wall for the slipped portion of the Ganjimutt-Malali Road.
4. Collector's remarks.	...	Recommended.

South Kanara Collector's office,
Mangalore, dated 26 - 1 - 1938.

For Collector.

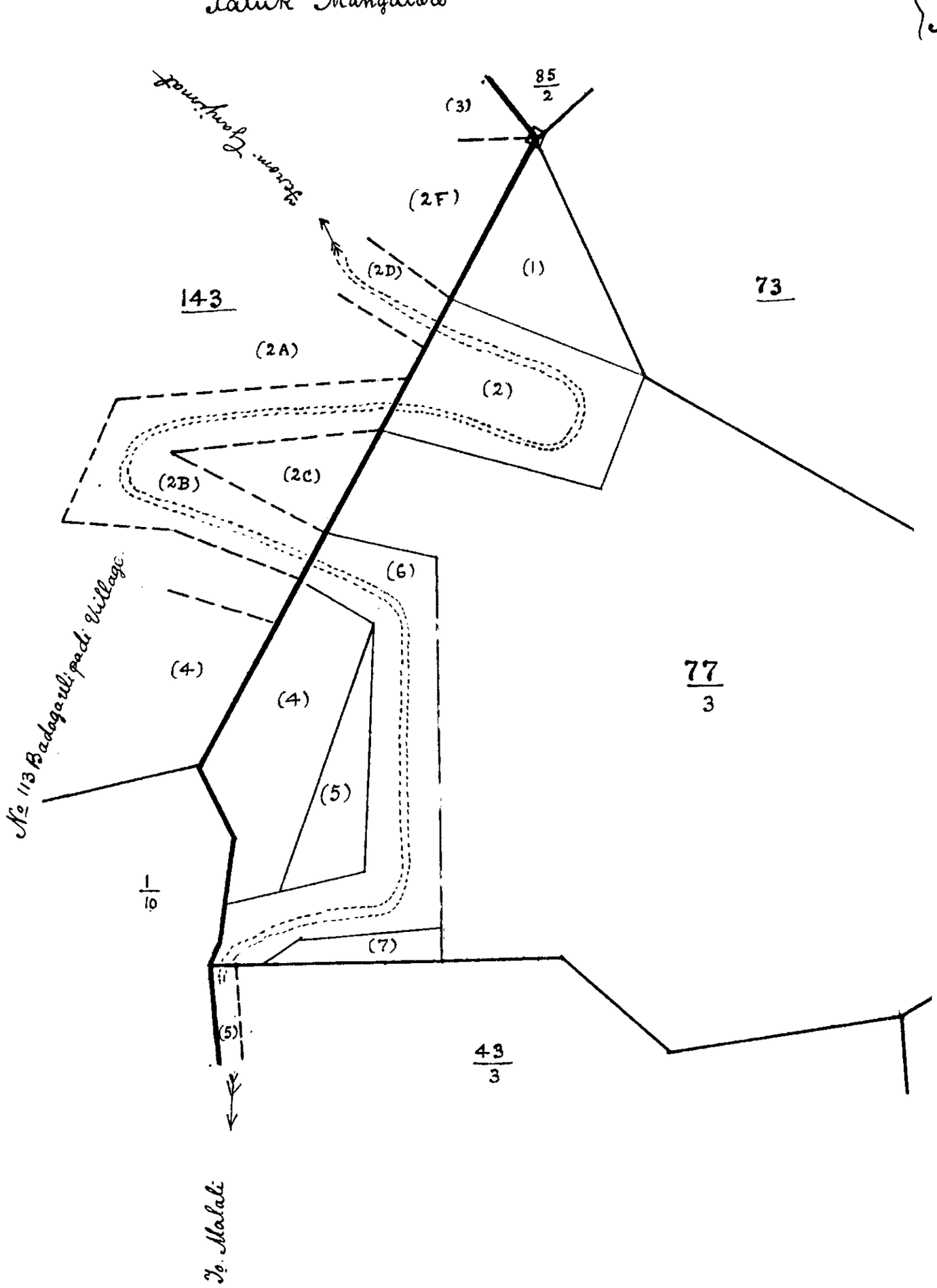
28.1.38.

5

District South Kanara

Taluk Mangalore

Village { No
No



Scale $\frac{1}{2}$ Inch = one chain

114

ne. Mogar

9

ವಿವರಿಕೆ

ಸ. ನಂ. ಪಟ್ಟಿ ಸ. ಪಿ. ನಂ.		ಪಿಡಿ-ಯಡಿ ಮೊತ್ತಗಳು	ವಿವರಣೆ
Mogar Village.			Lands in respect of which alienation is sought.
77	2	—	ಮುಳಿಹಿತ್ಲು ಬಚ್ಚಿ ಕಾಲು ಮೋರಿನವರಗಿಯಲ್ಲಿನ ಅಮ
	6		ರುವಳು ಬಚ್ಚಿ ಮಿಂಗಳ್ಳಿದ ಅನಾಧೀನ ಮಂಜಿನ ಳ.
77	1		
	3		
	4	—	ಅನಾಧೀನ ಮಂಜಿನ ಳಗಳು. A. Waste
	5		
	7		
43	3	Kadim ಪಿಡಿ	ಕೆ. ರಘುಚಂದ್ರ ಬಲ್ಲಾಳರು. K. Raghuchandra Ballal
	5	—	ಪೊರಂಬೋಕ್ಕು ರಸ್ತೆ. Porramboke - Road
85	2	—	ಅನಾಧೀನ ಮಂಜಿನ ಳ. A. Waste.
73		ಮೊತ್ತ ಮೊತ್ತಗಳು	ವಾಸುದೇವ ಅಯ್ಕಳ ರಂಗಪ್ಪ ಅಯ್ಕಳ ರ. Vasudeva Aikala & Rangaya Aikala
36		Kadim ಪಿಡಿ	ಯಿವರಿಕೆ ಅಧಿದಾರರ ಪಿಡುಮಿ. Other paddadars
42		—	

36

Badagavillipadi Village.

1	10	Kadim ಪಿಡಿ	—
143	4	ಮೊತ್ತ ಮೊತ್ತಗಳು	ಲಿಂಗಪ್ಪ ಕುಲಾಲ್ತಿ ತುಂಗಮ್ಮ ಮತ್ತು ಇ Thungamma of Ullipadi Cultivator.
	2D		
	2B		ಪೊರಂಬೋಕ್ಕು ಮುಳಿಹಿತ್ಲು ರಸ್ತೆ. — Porramboke - Malali Road.
	2F		
	2A		
	2C		ಅನಾಧೀನ ಮಂಜು A. Waste.
	3		

42

ತಾ 23 ನೇ ಸಪ್ಟಂಬರ 1937 ನೇ ಇ.

ಅಧಿಕಾರಿಗಳ ಸಹಿ

11

Rev dept

11/1111 O.M. No 3418 F/38-1 dy 11.6.38

Alienation — Land & Rev — (S. Kanara) — Mangalore Tk — Mogar village — S. Nos 77/2 and 77/6 — Construction of a toe-wall for the slipped portion of Ganjimutt-Halali road — Dt Bd, South Kanara — from the Bd of Rev, Refce No B 753/38-2 dy 30.3.38.

I R 17.6.38

E/R dy 11.7.38; Rec 27.7.38; Rel 1/7

cf

—

The attention of the Bd of Rev is invited to the concluding portion of paragraph 1 of G.O. No 431 Rev dy 17.2.38. The Bd is requested to suggest a suitable condition reserving the right to Govt to collect the value of the land in the event of the Dt Bd deriving a substantial income from it and to obtain the consent of the Dt Bd to the condition

Rpd. by

Date

To

The Bd of Rev (K. R.A.)

7.6.38

h

7/4

11/4.

Rev Dept-

O.M. No 3618 F/38-2 dt 22.7.38

Alienation – Land Rev (S. Kanara) – Mangalore Tk Mojar village – S. Nos 77/2 and 77/6 – Construction of a bore-well for the shifted portion of Ganjimutt – Kalak road – DC Rod, S. Kanara – Govt O.M. No 3618F/38-1 dt 11.6.38.

E.R. dt 11.8.38; Rec 7.9.38; Reply 31/8

E.R. dt 31.5.38; Rec 5.10.38; Reply

With reference to paragraph 1(ii) of G.O. No 1714 Rev dt 7.7.38, condition (9) of the conditions of alienation proposed by the Dist Officer in his Despatch No B 759/38-2 dt 30.3.38 might be amended as follows:-

"Full land revenue shall be levied if at any time any net income derived from the lands or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the

8 & 14

infringement.
The Bd is requested to obtain the consent by the Bd to the condition as amended above.

20-7-38

22/7

21/7

To

The Boy Ltd.

15

C.F. 31—17,006—9-2-37.

Revenue **DEPARTMENT.**

CURRENT No. Rev 75781

Received 20 OCT 1938 19 *Registered* 20 19

Subject.

Alienation - Land and Revenue - (South Kanara) - Mangalore Taluk - Mogar village - S.Nos.77/2 and 6 - Construction of a toe wall for the slipped portion of the Ganjimutt - Malali road -

-:-

Reference-B/ENo.759/38.7,

Station Madras, *Dated the* 14th October 19 38

From F.R.Brislee, Esquire, I.C.S.,

Secretary,

Board of Revenue.

F.W.Stewart, Esquire, M.C., C.I.E., I.C.S., Commissioner of Land Revenue.

-:-

Read the following papers:-

Memorandum from Government, Revenue Department, No.3418 F/38.1 dated the 11th April 1938.

II

Memorandum from Government, Revenue Department, No.3418 F/38-2 dated the 22nd July 1938.

III

Letter from Sri Rao Bahadur M.V.Vellodi, B.A., Collector of South Kanara, Ref.C.No.3782/37-B.3, dated the 6th October 1938.

-:-

REFERENCE.

The District Board, South Kanara has agreed to abide by the following conditions:-

(1) the market value of the lands shall be collected from the grantee, if at any time it is found that the grantee derives

derives a substantial income from them.

(2) full ground rent shall be levied if at any time any net income is derived from the land or if any of the conditions of the alienation are infringed. In the latter case, the land revenue shall be levied from the date of the infringement,

(3) the Government reserve to themselves the right to all sandalwood trees and their branches and roots which exist at the time of alienation as well as those which may grow subsequently on the land and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The alienee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collector of the District,

(4) the alienee shall take all reasonable measures to the satisfaction of the Collector of the District for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land,

(5) the alienee shall take steps to see that the marks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(6) in the event of the infringement of, or failure to observe any of the conditions (3) to (5) the alienee shall pay to the Government such compensation as is determined by the Collector of the district for any loss or damage caused by such infringement or failure on his part. The Government shall also be at liberty to resume the land and re-enter on it and the whole land shall thereupon vest absolutely in the Government. In that case the alienee shall not be entitled to any compensation whatever.

Ramachandra Rao
for Secretary. 18.10.38

To the Secretary to Government, Revenue Department.

c.n.n./17-10-1938.

17

Revenue

Alienation – Land Rev. (S. Kanara) – Mangalore Tk – Mogar village – S.Nos 77/2 & 6 Construction of a toe wall for the slipped portion of the Embankment – Malvi road –

Pp 1-3 of 3.1.38 & 3418F/37] From the Bd's Rep. Rc. No. B759/38-2 & 30.3.38

Pp 11 of To — do — O.M. No. 3418F/38-1 & 11.9.38

Pp 13-14 of To — do —, O.M. No. 3418F/38-2 & 22.9.38

Pp 15-16 of From — do —, Rep. No. B/E759/38-7 & 19.10.38

To R.S.

Please see the Bd's Rep. at Pp 1-3 of, the O.M at Pp 11-14 of and the Bd's Rep. at Pp 15-16 of.

2 The alienation of S. Nos 77/2 and 77/6 of Mogar village, Mangalore Tk, S. Kanara Dt may now be sanctioned in favour of the Dt Bd, S. Kanara A draft order is submitted for approval. It may be sent to L.A and Fin for acceptance

ASSISTANT SECRETARY TO GOVERNMENT 4 - NOV 1938 FINANCE DEPT.

24.10.38

26/10

L.A.

Fin

Rev R.O. No. 3418F/38-3

26.10.38

25/10/38

39897 Ans

SECRETARIAT GOVERNMENT 27 OCT 1938 LOCAL ADMINISTRATION DEPT.

L.A.D.4/11

The draft order may be accepted in the Dept and the file passed on to Finance.

L.A. Dept No. 31855-1-IV 2/11 2.11.38

2/11

2/11/38

2.11.38

Fin RO

Finance Sects U.O. 39897 Sects — 1
8/XI/38

The draft order may be accepted and the Case returned to Revenue

7.11.38

DW P 7/11 ~~Addl S.~~ Rev.

Rev

May issue.

Addl Sec. 20/11/38

cir: 9-11-38.

20/11

10/23/41

19

Rev. Sectt. 23—3,006—23-12-36.

GOVERNMENT OF MADRAS.

Received _____ 193 *Registered* _____ 193

Abstract.

REVENUE DEPARTMENT.

G.O. No. Ms. 3002 **Dated the** 23. 11. 38.

READ the following :—

1-3 cl. 6. No. 3418F/38 From the Bd of Rev, Refce No. B/759/38-2 dt 30.3.38
To —do—, O.M. No. 3418F/38-1 dt 11.6.38
To —do—, O.M. No. 3418F/38-2 dt 22.7.38
From —do—, Refce No. B/E 759/38-7 dt 14.10.38

ORDER—

The Government sanction the alienation of S. Nos 77/2 and 77/6 measuring 77 cents and 1 acre 7 cents respectively ~~of~~ in Mogar village, Mangalore Tk, South Kanara Dt, in favour of the Dt Bd S. Kanara for use as the site of a toe wall for the slipped portion of the Ganjimutt—Kabali road

2. The alienation will be free of charge for the occupancy right and free of land revenue

20

but subject to the following conditions :—

(1) The land shall be used as the site of a toe wall for the slipped portion of the Gaugemutt – Halali road

and for no other purpose.

~~The buildings shall be constructed within from the date of the grant.~~

(2) No buildings shall be constructed on the land without the previous permission of the Minister of the Crown

(3) The Government may resume the land, wholly or in part, with any buildings thereon, in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or other works that may have been executed on the land by the grantee. ~~(and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant).~~ If there are buildings on the land the Government may direct the grantee to remove them.

(4) The Government may resume the land, wholly or in part, with any buildings thereon, if in the opinion of the Government the land is required for a public purpose or for conducting mining operations. ~~(In the event of such resumption or in the event of the acquisition of the land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition whichever may be less.)~~

(5) In the event of resumption under condition (4) if there are buildings on the land, the Government may, at their option, either—

(*a*) purchase the buildings, or

(*b*) direct the grantee to remove the buildings.

(6) In the event of the resumption of the land followed by the purchase of the buildings under condition (5)(a) or in the event of the acquisition of the land for any reason, the compensation payable for buildings or other improvements shall in no case exceed ~~(the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition, whichever may be less, together with)~~ the initial cost or the value at the time of resumption or acquisition, whichever may be less, of any buildings erected or other improvements effected on the land by the grantee in accordance with the terms of the grant. But in no circumstances shall any compensation be paid by the Govt in respect of buildings constructed in contravention of condition (2)

(7) In the event of the grantee refusing to remove the buildings, when so directed under condition 3) or (5)(b) the Government may remove them and realize the cost of the removal by the sale of the materials.

(8) In the event of the voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvements that may have been effected or for works that may have been executed on the land by the grantee. ~~(and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant).~~

(9) The market value of the land shall be collected if at any time it is found that the grantee derives a substantial income from the land.

(10) Full land revenue shall be levied if at any time any net-income is derived from the land or if any of the conditions of the alienation are infringed In the latter case, the land revenue shall be levied from the date of the infringement.

(11) The Govt reserve to themselves the right to all sandalwood trees and their branches and roots

which exist at the time of alienation as well as those which may grow subsequently on the land and the Govt shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land and dispose of them at their pleasure. The grantee shall not be entitled to cut or remove them or cause them to be cut or removed without the permission of the Collr.

(12) The grantee shall take all reasonable measures to the satisfaction of the Collr for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(13) The grantee shall take steps to see that the marks made by the officers of the Govt on the sandalwood trees are preserved and are not tampered with.

(14) In the event of the infringement of, or failure to observe any of the conditions (11) to (13) the grantee shall pay to the Govt such compensation as is determined by the Collr for any loss or damage caused by such infringement or failure on its part. The Govt shall also be at liberty to resume the land & and re-enter on it and the whole land shall thereupon vest absolutely in the Govt. In that case the grantee shall not be entitled to any compensation whatever

26.10.38

26/10.

To The Secy to Govt
L.A. dept

Dpd. by Van Post Messenger
Dpr.'s initials.
Date 25-X-193 8